

MONDAY, APRIL 18, 2011

TWENTY-FIFTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRESENTATION

Mr. Rick Hollis and members of the Tennessee Society of the Sons of the American Revolution presented the colors.

PRAYER

The proceedings were opened with prayer by Mr. Mike Morrison of Pleasant Hill United Methodist Church in Philadelphia, Tennessee, a guest of Senator Faulk.

PLEDGE OF ALLEGIANCE

The Tennessee Society of the Sons of the American Revolution led the Senate in the Pledge of Allegiance to the Flag.

PRESENTATION

Senator Yager presented Noteworthy, led by Ms. Leslie Holt of the Alvin C. York Institute who sang "Joy in the Morning" to the Senate.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

COMMUNICATION

April 18, 2011

The Honorable Ron Ramsey
Speaker of the Senate
One Legislative Plaza
Nashville, Tennessee 37243

Dear Speaker Ramsey:

This is to request your excuse for my absence from Session today, April 18, 2011. Due to personal obligations, I will be unable to attend.

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I appreciate your consideration of this request.

Sincerely,

/s/ Jim Kyle

APPROVED: Lieutenant Governor
Ron Ramsey

STANDING COMMITTEE REPORT

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 72 with amendment, 96 with amendment, 494, 611 with amendment, 818 with amendment, 1145 with amendment, 1853 and 1921 with amendment.

CROWE, Chairperson
April 18, 2011

The Speaker announced that he had referred Senate Bills Nos. 72 with amendment, 96 with amendment, 494, 611 with amendment, 818 with amendment, 1145 with amendment, 1853 and 1921 with amendment to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 2110** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 2110 by Senator Crowe.

Jonesborough -- As introduced, subject to local approval, modernizes the city charter. Amends Chapter 135 of the Acts of 1903; as amended.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 395, 457, 566, 612, 642, 654, 661, 1081, 1114, 1279, 1498, 1605, 1819, 1881 and 2117** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

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House Bill No. 395 -- Law Enforcement -- As introduced, provides that a retired law enforcement officer who has been certified to carry a firearm has to be re-certified every four years instead of annually but such officer is only permitted to carry the firearm within the State of Tennessee. Amends TCA Title 38, Chapter 8, Part 1.

House Bill No. 457 -- Drugs, Over the Counter -- As introduced, creates Class A misdemeanor of producing, manufacturing, selling or offering to sell any product containing any of six listed synthetic derivatives or analogues of the Schedule I controlled substance methcathinone. Amends TCA Title 39, Chapter 17, Part 4.

House Bill No. 566 -- Sales -- As introduced, requires the most recent sales tax reporting period be used by aviation fuel dealers for purposes of filing a monthly report with the Department of Revenue; revises other provisions for reporting fuel sales. Amends TCA Title 67, Chapter 4 and Title 67, Chapter 6.

House Bill No. 612 -- Election Laws -- As introduced, changes date of presidential preference primary from first Tuesday in February to first Tuesday in March. Amends TCA Title 2.

House Bill No. 642 -- Sunset Laws -- As introduced, extends the civil service commission, June 30, 2012. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 30, Part 1.

House Bill No. 654 -- Sunset Laws -- As introduced, extends the Douglas Henry State Museum Commission, June 30, 2012. Amends TCA Title 4, Chapter 20, Part 3 and Title 4, Chapter 29.

House Bill No. 661 -- Sunset Laws -- As introduced, extends the department of human resources, June 30, 2012. Amends TCA Title 4, Chapter 3, Part 1 and Title 4, Chapter 29.

House Bill No. 1081 -- Election Laws -- As introduced, to conform our laws with the federal "Uniformed and Overseas Citizens Absentee Voting Act", clarifies that the federal postcard application will be accepted for all elections, not just the federal elections. Amends TCA Title 2.

House Bill No. 1114 -- Election Laws -- As introduced, authorizes the coordinator of elections to audit the County Election Commission in the administration of election laws; gives the coordinator certain powers in conducting an investigation or an audit. Amends TCA Section 2-11-202.

House Bill No. 1279 -- Public Employees -- As introduced, adds firefighters and certain emergency services personnel to statute permitting law enforcement officers and certain TBI employees to request that an arrestee's blood be tested for certain infectious diseases. Amends TCA Title 41 and Title 68.

House Bill No. 1498 -- Public Contracts -- As introduced, enacts the "Freedom in Contracting Act". Amends TCA Title 12, Chapter 4.

House Bill No. 1605 -- Employees, Employers -- As introduced, prohibits any business or organization operating in this state from executing an agreement with a union or employee organization of any kind that includes a maintenance of membership clause prohibiting employees from withdrawing from a union or employee organization prior to the agreement's expiration. Amends TCA Title 50, Chapter 1, Part 2.

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House Bill No. 1819 -- Salaries and Benefits -- As introduced, allows an employer to offset an employee's wages if the employee owes the employer money that the employer loaned or advanced the employee. Amends TCA Title 26 and Title 50.

House Bill No. 1881 -- Housing -- As introduced, revises certain provisions of the "Neighborhood Preservation Act". Amends TCA Title 13, Chapter 6.

House Bill No. 2117 -- Highway Signs -- As introduced, expresses intent to name appropriate bridge or section of highway in Warren County in honor of Joe DeLong.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2107 through 2109** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 2107 Local bill -- held on desk.

Senate Bill No. 2108 Local bill -- held on desk.

Senate Bill No. 2109 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 206 through 223** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 206 by Senator Yager.
Memorials, Professional Achievement -- James Madison, 2010 Master Logger of the Year.

Senate Joint Resolution No. 207 by Senator Beavers.
Memorials, Recognition -- William H. Coley, inducted into the Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 208 by Senator Beavers.
Memorials, Recognition -- Harold Edwin Stanford, inducted into the Wilson County Agricultural Hall of Fame.

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Senate Joint Resolution No. 209 by Senator Beavers.

Memorials, Recognition -- Moss Brothers Seed Company, inducted into the Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 210 by Senator Beavers.

Memorials, Academic Achievement -- John Michael Cook, Valedictorian, Wilson Central High School.

Senate Joint Resolution No. 211 by Senator Beavers.

Memorials, Sports -- Clay County High School boys' basketball team, Region 4A Champions.

Senate Joint Resolution No. 212 by Senator Beavers.

Memorials, Recognition -- Jim K. Lancaster, inducted into the Wilson County Agricultural Hall of Fame.

Senate Joint Resolution No. 213 by Senator Marrero.

Naming and Designating -- Designates Pink Palace Family of Museums in Memphis as West Tennessee Museum of Science and Technology.

Senate Joint Resolution No. 214 by Senator Stewart.

Naming and Designating -- Names Tennessee National Guard Armory in Tullahoma in honor of Command Sergeant Major Howard Boswell.

Senate Joint Resolution No. 215 by Senator Yager.

Memorials, Retirement -- Raymond Walker, retirement as Executive Director of Rhea Economic and Tourism Council.

Senate Joint Resolution No. 216 by Mr. Speaker Ramsey.

Memorials, Death -- Suzanne Chidester Johnson.

Senate Joint Resolution No. 217 by Senator Herron.

Memorials, Death -- Thurston Lee Smith.

Senate Joint Resolution No. 218 by Senator Herron.

Memorials, Academic Achievement -- Kevin Ross Shuel, Salutatorian, Stewart County High School.

Senate Joint Resolution No. 219 by Senator Herron.

Memorials, Academic Achievement -- Kaitlyn Joy Warren, Valedictorian, Stewart County High School.

Senate Joint Resolution No. 220 by Senator Herron.

Memorials, Death -- Sandy Bryan Hodge.

Senate Joint Resolution No. 221 by Senator Kelsey.

Constitutional Amendments -- Proposes additional language in Article II, Section 28 to explicitly prohibit the general assembly from levying, authorizing or otherwise permitting any state or local tax upon payroll or earned personal income or any state or local tax measured by payroll or earned personal income.

Senate Joint Resolution No. 222 by Senator Crowe.

Constitutional Amendments -- Proposes an amendment to Article XI, Section 5 of the Constitution of the State of Tennessee concerning charitable lotteries to include certain veterans' organizations.

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Senate Joint Resolution No. 223 by Senator Crowe.
Memorials, Death -- Chester White.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 232 through 234; Senate Joint Resolutions Nos. 191, 193 through 200 and 202 through 205; and Senate Resolution No. 29** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 232 -- Memorials, Recognition -- Harry Smith.

The Speaker announced that he had referred House Joint Resolution No. 232 to the Committee on Calendar.

House Joint Resolution No. 233 -- Memorials, Death -- Sgt. 1st Class Ofren Arrechaga.

The Speaker announced that he had referred House Joint Resolution No. 233 to the Committee on Calendar.

House Joint Resolution No. 234 -- Memorials, Recognition -- Alpha Kappa Alpha Sorority, Inc.

The Speaker announced that he had referred House Joint Resolution No. 234 to the Committee on Calendar.

Senate Joint Resolution No. 191 -- Memorials, Recognition -- Tom B. Hughes III, Athens 2011 Man of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 191 to the Committee on Calendar.

Senate Joint Resolution No. 193 -- Memorials, Academic Achievement -- Samantha Lauren Bozarth, Salutatorian, Westmoreland High School.

The Speaker announced that he had referred Senate Joint Resolution No. 193 to the Committee on Calendar.

Senate Joint Resolution No. 194 -- Memorials, Academic Achievement -- Brittany Leann Hauskins, Valedictorian, Westmoreland High School.

The Speaker announced that he had referred Senate Joint Resolution No. 194 to the Committee on Calendar.

Senate Joint Resolution No. 195 -- Memorials, Academic Achievement -- Jonathan Byrd, Valedictorian, Westmoreland High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 195 to the Committee on Calendar.

Senate Joint Resolution No. 196 -- Memorials, Academic Achievement -- Chelsea Kennedy, Valedictorian, Westmoreland High School.

The Speaker announced that he had referred Senate Joint Resolution No. 196 to the Committee on Calendar.

Senate Joint Resolution No. 197 -- Memorials, Retirement -- Alvin Raymond Dunn, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 197 to the Committee on Calendar.

Senate Joint Resolution No. 198 -- Memorials, Retirement -- Linda Ann Tollett Nipper.

The Speaker announced that he had referred Senate Joint Resolution No. 198 to the Committee on Calendar.

Senate Joint Resolution No. 199 -- Memorials, Recognition -- Stanley Rogers.

The Speaker announced that he had referred Senate Joint Resolution No. 199 to the Committee on Calendar.

Senate Joint Resolution No. 200 -- Mental Illness -- Directs the Department of Mental Health to study issues relating to assisted outpatient treatment [Kendra's Law] and to report to legislative committees by 1/15/2012.

The Speaker announced that he had referred Senate Joint Resolution No. 200 to the Committee on General Welfare, Health and Human Resources.

Senate Joint Resolution No. 202 -- Memorials, Academic Achievement -- Genevieve Iva Kupritz, Salutatorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 202 to the Committee on Calendar.

Senate Joint Resolution No. 203 -- Memorials, Academic Achievement -- Austin James Blodgett, Valedictorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 203 to the Committee on Calendar.

Senate Joint Resolution No. 204 -- Memorials, Academic Achievement -- Patrick Cashman, Salutatorian, Wilson Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 204 to the Committee on Calendar.

Senate Joint Resolution No. 205 -- Memorials, Academic Achievement -- Austin Brown, Valedictorian, Wilson Central High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 205 to the Committee on Calendar.

Senate Resolution No. 29 -- General Assembly, Confirmation of Appointment -- Rejects appointments to Tennessee Board of Regents.

The Speaker announced that he had referred Senate Resolution No. 29 to the Committee on Education.

MOTION

Senator Berke moved that Rules 32 and 33 be suspended for the introduction of **Senate Joint Resolution No. 226**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 226 by Senator Berke.
Naming and Designating -- Designates May of 2011 as "Amyotrophic Lateral Sclerosis Awareness Month" in Tennessee.

MOTION

Senator Berke moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 226** on the calendar for the Committee on General Welfare, Health and Human Resources for Wednesday, April 20, 2011; and further moved to suspend Rule 37 for the purpose of placing **Senate Joint Resolution No. 226** on the Calendar for Thursday, April 21, 2011, if recommended for passage by the Committee on General Welfare, Health and Human Resources, which motion prevailed.

MOTION

Senator Johnson moved that Rule 83(8) be suspended for the purpose of placing the Commerce and Insurance Budget on the calendar for the Committee on Commerce, Labor and Agriculture for Tuesday, April 19, 2011, which motion prevailed.

MOTION

Senator Tracy moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 650 and 1758** on the calendar for the Committee on Transportation for Wednesday, April 20, 2011, which motion prevailed.

MOTION

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1915** on the calendar for the Committee on State and Local Government for Tuesday, April 19, 2011, which motion prevailed.

MOTION

Senator Beavers moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1658** on the calendar for the Committee on Judiciary for Tuesday, April 19, 2011, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

April 14, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 16, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MOTION

Senator Crowe moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 200** on the calendar for the Committee on General Welfare, Health and Human Resources for Wednesday, April 20, 2011; and further moved to suspend Rule 37 for the purpose of placing **Senate Joint Resolution No. 200** on the Calendar for Thursday, April 21, 2011, if recommended for passage by the Committee on General Welfare, Health and Human Resources, which motion prevailed.

MOTION

Senator Beavers moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 248**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 248 -- Memorials, Recognition -- Thomas Wilson Beasley.

On motion of Senator Beavers, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 248** was concurred in.

A motion to reconsider was tabled.

MOTION

Senator Beavers moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 249**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 249 -- Memorials, Recognition -- Elder Charles Allen Gentry.

On motion of Senator Beavers, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 249** was concurred in.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 184 -- Memorials, Academic Achievement -- Wes Grace, Salutatorian, Red Boiling Springs High School.

Senate Joint Resolution No. 185 -- Memorials, Academic Achievement -- Dillon Reed, Valedictorian, Gordonsville High School.

Senate Joint Resolution No. 186 -- Memorials, Academic Achievement -- Heather Jenkins, Valedictorian, Red Boiling Springs High School.

Senate Joint Resolution No. 187 -- Memorials, Academic Achievement -- Ashley Nastasia Allred, Valedictorian, Clay County High School.

Senate Joint Resolution No. 188 -- Memorials, Academic Achievement -- Parker "Jordan" Grace, Valedictorian, Red Boiling Springs High School.

Senate Joint Resolution No. 189 -- Memorials, Academic Achievement -- Jessica Blackburn, Salutatorian, Gordonsville High School.

Senate Joint Resolution No. 190 -- Memorials, Academic Achievement -- Larissa Rich, Salutatorian, Clay County High School.

House Joint Resolution No. 206 -- Memorials, Death -- Ray Michael Collins.

House Joint Resolution No. 207 -- Memorials, Recognition -- Nadia Valdez, Boys and Girls Club State Youth of the Year.

House Joint Resolution No. 208 -- Memorials, Recognition -- Alex Harvey.

House Joint Resolution No. 209 -- Memorials, Academic Achievement -- Britney Campbell, Valedictorian, DeKalb County High School.

House Joint Resolution No. 210 -- Memorials, Academic Achievement -- Jagger K. Edgell, Valedictorian, Smith County High School.

House Joint Resolution No. 211 -- Memorials, Academic Achievement -- Leah Bane, Salutatorian, Smith County High School.

House Joint Resolution No. 212 -- Memorials, Academic Achievement -- Martha Alan Webb, Salutatorian, DeKalb County High School.

House Joint Resolution No. 213 -- Memorials, Public Service -- Bobby Gene Spivey, former mayor of the Town of Smyrna.

House Joint Resolution No. 214 -- Memorials, Recognition -- Polly Gregory, Speaker of the House for the 64th Tennessee 4-H Congress.

House Joint Resolution No. 215 -- Memorials, Death -- Roger Dale Spivey, Sr.

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House Joint Resolution No. 216 -- Memorials, Professional Achievement -- Gary Rankin, induction into TSSAA Hall of Fame.

House Joint Resolution No. 220 -- Memorials, Academic Achievement -- Brittany Hagler, Valedictorian, Mt. Juliet High School.

House Joint Resolution No. 222 -- Memorials, Academic Achievement -- Eric Sorrels, Salutatorian, Friendship Christian School.

House Joint Resolution No. 223 -- Memorials, Academic Achievement -- Mary Nicole Harris, Salutatorian, Mt. Juliet High School.

House Joint Resolution No. 224 -- Memorials, Academic Achievement -- Ryan Pino, Valedictorian, Friendship Christian School.

House Joint Resolution No. 228 -- Memorials, Sports -- Gibbs High School, 2010 TSSAA Class AA State Baseball Champions.

House Joint Resolution No. 229 -- Memorials, Recognition -- William Pearce "Bill" Drewry.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bill was placed at the heel of the calendar for Thursday, April 21, 2011, pursuant to Rule 38: **Senate Bill No. 756**.

Senate Bill No. 208 -- Sunset Laws -- As introduced, extends the department of labor and workforce development, June 30, 2015. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 1 and Title 4, Chapter 3, Part 14.

On motion, Senate Bill No. 208 was made to conform with **House Bill No. 620**.

On motion, House Bill No. 620, on same subject, was substituted for Senate Bill No. 208.

Senate Bill No. 211 -- Sunset Laws -- As introduced, extends the oil and gas board, June 30, 2016; revises appointment process of membership of oil and gas board. Amends TCA Title 4, Chapter 29 and Title 60, Chapter 1, Part 2.

On motion, Senate Bill No. 211 was made to conform with **House Bill No. 628**.

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On motion, House Bill No. 628, on same subject, was substituted for Senate Bill No. 211.

Senate Bill No. 473 -- Election Laws -- As introduced, exempts the purging of a person's voter registration after a change of name due to a divorce. Amends TCA Section 2-2-106.

On motion, Senate Bill No. 473 was made to conform with **House Bill No. 377**.

On motion, House Bill No. 377, on same subject, was substituted for Senate Bill No. 473.

Senate Bill No. 474 -- Election Laws -- As introduced, removes election officials' legislative district residency requirement to serve but requires such officials to reside in the county in which they are appointed to serve. Amends TCA Section 2-4-103.

On motion, Senate Bill No. 474 was made to conform with **House Bill No. 378**.

On motion, House Bill No. 378, on same subject, was substituted for Senate Bill No. 474.

Senate Bill No. 717 -- Education -- As introduced, requires notice of termination of director of schools to comply with same requirements as notice of extension of a director's contract; requires termination of contract of director of schools to be first item on the agenda of the board meeting at which such action is to be considered. Amends TCA Section 49-2-203.

Senate Bill No. 822 -- Public Records -- As introduced, makes all records pertaining to licensure or registration by owners of security systems held or kept by a governmental entity confidential; includes all information, photos, presentations, schematics and surveys. Amends TCA Title 10, Chapter 7.

On motion, Senate Bill No. 822 was made to conform with **House Bill No. 424**.

On motion, House Bill No. 424, on same subject, was substituted for Senate Bill No. 822.

Senate Bill No. 1432 -- Courts, Jurisdiction -- As introduced, clarifies counties to which certain court jurisdictional provisions of the "Governmental Tort Liability Act" apply. Amends TCA Section 29-20-305 and Section 29-20-307.

On motion, Senate Bill No. 1432 was made to conform with **House Bill No. 1739**.

On motion, House Bill No. 1739, on same subject, was substituted for Senate Bill No. 1432.

Senate Bill No. 1559 -- Taxes, Ad Valorem -- As introduced, authorizes the acceptance of partial payment of delinquent property taxes by the county trustee under certain circumstances. Amends TCA Section 67-5-2001.

Senate Bill No. 1674 -- Teachers, Principals and School Personnel -- As introduced, allows substitute teachers to be employed by local education agency or third party public or private employer through agreement with the LEA; states that substitute teachers employed by third party shall be subject to same unemployment benefit eligibility conditions as those employed by LEAs. Amends TCA Section 49-5-709.

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Senate Joint Resolution No. 178 -- General Assembly, Statement of Intent or Position -- Relative to the release of water into the Ocoee and Caney Fork Rivers by the Tennessee Valley Authority.

Senate Joint Resolution No. 192 -- Naming and Designating -- "National Crime Victims' Rights Week", April 10-16, 2011.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 127 -- Constitutional Amendments -- Proposes new provision to Article I to provide that nothing in the Constitution of Tennessee secures or protects right to abortion or requires the funding of an abortion; states that the people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 127** had been read.

Senator Herron moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Herron moved that the Clerk read the Amendment, which motion prevailed.

Senator Herron moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the following language:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state

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senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.

and by substituting instead the following:

Nothing in this Constitution secures or protects a right to abortion, except in cases involving rape or incest or in cases when the procedure is medically necessary to save the life of the pregnant woman. Nothing in this Constitution requires the funding of an abortion. No person shall perform a partial-birth abortion.

Senator Beavers moved that Amendment No. 2 go to the table, which motion prevailed by the following vote:

Ayes 22
Noes 10

Senators voting aye were: Beavers, Bell, Campfield, Crowe, Faulk, Finney, Gresham, Henry, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Barnes, Berke, Burks, Ford, Harper, Haynes, Herron, Marrero, Stewart and Tate--10.

Senator Herron moved that the Clerk read the Amendment, which motion prevailed.

Senator Herron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the following language:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother.

and by substituting instead the following:

Nothing in this Constitution secures or protects a right to abortion, except in cases when the procedure is medically necessary to save the life of the pregnant woman. Nothing in this Constitution requires the funding of an abortion. No person shall perform a partial-birth abortion.

Senator Beavers moved that Amendment No. 1 go to the table, which motion prevailed by the following vote:

Ayes 21
Noes 11

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Senators voting aye were: Beavers, Bell, Campfield, Crowe, Faulk, Gresham, Henry, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Barnes, Berke, Burks, Finney, Ford, Harper, Haynes, Herron, Marrero, Stewart and Tate--11.

Thereupon, **Senate Joint Resolution No. 127** was adopted by the following vote:

Ayes	24
Noes	8

Senators voting aye were: Beavers, Bell, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Henry, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--24.

Senators voting no were: Barnes, Berke, Ford, Harper, Haynes, Herron, Marrero and Tate --8.

A motion to reconsider was tabled.

Senate Bill No. 192 -- Sunset Laws -- As introduced, extends the civil service commission, June 30, 2012. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 30, Part 1.

On motion, Senate Bill No. 192 was made to conform with **House Bill No. 642**.

On motion, House Bill No. 642, on same subject, was substituted for Senate Bill No. 192.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 642** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 193 -- Sunset Laws -- As introduced, extends the commission on aging, June 30, 2012. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2, Part 1.

On motion, Senate Bill No. 193 was made to conform with **House Bill No. 643**.

On motion, House Bill No. 643, on same subject, was substituted for Senate Bill No. 193.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 of the bill and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding the following language as a new subdivision thereto, as follows:

() Commission on aging and disability, created by § 71-2-104;

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The division of state audit shall return to the Tennessee commission on aging and disability in 2012 to review actions taken by the commission to address the monitoring issues raised in the first finding in the January, 2011 performance audit report.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 643**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 209 -- Sunset Laws -- As introduced, extends the department of human resources, June 30, 2012. Amends TCA Title 4, Chapter 3, Part 1 and Title 4, Chapter 29.

On motion, Senate Bill No. 209 was made to conform with **House Bill No. 661**.

On motion, House Bill No. 661, on same subject, was substituted for Senate Bill No. 209.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 661** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

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Senate Bill No. 449 -- Teachers, Principals and School Personnel -- As introduced, prohibits charging a teacher with a day of leave for any day on which the teacher's school or school district is closed because of natural disaster, inclement weather, serious outbreak of contagious illness or other unexpected event. Amends TCA Title 49, Chapter 5, Part 7.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding between the words "A teacher" and the words "shall not be charged" in the amendatory language of Section 1 of the bill the following language:

, including a teacher on pre-approved leave or other type of leave,

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 449**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 714 -- Education -- As introduced, authorizes LEAs and the Department of Education to sponsor or establish virtual schools; enacts the "Virtual Public Schools Act". Amends TCA Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-16-105, is amended by deleting the following language in its entirety:

; provided, however, that only students in grades kindergarten through twelve (K-12) who were enrolled in and attended a public school during the previous school year shall be eligible to participate in a virtual public education program

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 714**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 720** be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

Senate Bill No. 753 -- Zoning -- As introduced, defines "quarrying" as the extraction and removal of any mineral, including clay, stone, gravel, phosphate rock, metallic ore, limestone, marble, chert, sand, dimension stone and any other solid mineral or substance of commercial value found in natural deposits in the earth, for barter or sale for purposes of county and municipal zoning. Amends TCA Sections 13-7-101 and 13-7-201.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Sections 1 and 2 of the printed bill in their entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 13-7-101(a)(1), is amended by adding the following language to the end of the current language in subsection (a)(1):

Quarrying shall be uniformly defined, for purposes of all county zoning regulations as the extraction, removal and mechanized processing of stone, gravel, phosphate rock, metallic ore, limestone, marble, chert, sand, dimension stone and any other solid mineral or substance of commercial value, except coal and deep metal mining, including but not limited to zinc, found in natural deposits in the earth, for barter or sale. The definition of quarrying shall not include the reuse of these minerals on the same site from which they are extracted. This definition shall have no effect on the exception contained in § 54-1-128. The removal of borrow material from a site and the placement of the same material on a project site without any mechanized processing shall not be considered quarrying.

SECTION 2. Tennessee Code Annotated, Section 13-7-201(a)(1), is amended by adding the following language to the end of the current language in subsection (a)(1):

Quarrying shall be uniformly defined, for purposes of all municipal zoning regulations as the extraction, removal and mechanized processing of stone, gravel, phosphate rock, metallic ore, limestone, marble, chert, sand, dimension stone and any other solid mineral or substance of commercial value, except coal and deep metal mining, including but not limited to zinc, found in natural deposits in the earth, for barter or sale. The definition of quarrying shall not include the reuse of these minerals on the

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same site from which they are extracted. This definition shall have no effect on the exception contained in § 54-1-128. The removal of borrow material from a site and the placement of the same material on a project site without mechanized processing shall not be considered quarrying.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 753**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Gresham moved that **Senate Bill No. 875** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 912 -- Education -- As introduced, requires that State Board of Education mandate revisions to financial literacy education, including as component on certain achievement tests, after recommendations made by Financial Literacy Commission. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 7, Part 31.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-1-302, is amended in subsection (a) by adding the following language as a new subdivision:

(21) Develop guidelines for the use of LEAs to strengthen personal finance standards, based on recommendations by the financial literacy commission pursuant to § 49-7-3104, and require that certain financial literacy concepts are included as a part of the standards for social studies approved by the board.

SECTION 2. Tennessee Code Annotated, Section 49-7-3104, is amended in subsection (a) by adding the following language as new subdivisions:

(7) Conduct a formal review of the current personal finance standards taught in grades kindergarten through eight (K-8) and recommend revisions, including, but not limited to, integrating financial education into reading, language arts and math. Such recommendations shall be presented to the Department of Education and the State Board of Education for consideration of statewide applicability;

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(8) Develop, and report to the Department of Education and the State Board of Education, the means to include in existing standardized achievement testing for grades five (5) and eight (8), as an additional social studies component, the following personal finance concepts:

- (A) Decision-making;
- (B) Earning an income;
- (C) Saving and spending;
- (D) Use of credit; and
- (E) Budgeting.

SECTION 3. The code commission is requested to transfer Title 49, Chapter 7, Part 31, the "Financial Literacy Program Act of 2010", as amended, to a new Part 17 in Title 49, Chapter 6, and to change the citation of present § 49-7-3102 that appears in § 4-29-233(a)(29) accordingly.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 912**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0
Present, not voting . . .	2

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senators present and not voting were: Stewart and Summerville--2.

A motion to reconsider was tabled.

Senate Bill No. 1258 -- Physicians and Surgeons -- As introduced, establishes regulation of pain management clinics. Amends TCA Title 63.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding a new part, as follows:

63-1-301. For purposes of this part, unless the context requires otherwise:

(1) "Advanced practice nurse" means any person licensed under Title 63, Chapter 7, who meets the requirements of § 63-7-126.

(2) "Department" means the Department of Health.

(3) "Medical doctor" means any person licensed under Title 63, Chapter 6.

(4) "Osteopathic physician" means any person licensed under Title 63, Chapter 9.

(5) "Pain management clinic" means a privately-owned facility in which a medical doctor, an osteopathic physician, an advanced practice nurse, and/or a physician assistant provides pain management services to patients, a majority of whom are issued a prescription for, or are dispensed, opioids, benzodiazepine, barbiturates, or carisoprodol, but not including suboxone, for more than ninety (90) days in a twelve-month period; and

(6) "Physician assistant" means any person licensed under Title 63, Chapter 19.

63-1-302. This part does not apply to:

(1) A medical or dental school, an osteopathic medical school, a nursing school, a physician assistant program, or an outpatient clinic associated with any of the foregoing schools or programs.

(2) A hospital as defined in § 68-11-201, including any outpatient facility or clinic of a hospital;

(3) Hospice services as defined in § 68-11-201;

(4) A nursing home as defined in § 68-11-201;

(5) A facility maintained or operated by this state; or

(6) A hospital or clinic maintained or operated by the federal government.

63-1-303.

(a) Each licensed healthcare practitioner who provides services at a pain management clinic shall continue to be regulated only by the board which has issued a license to that practitioner.

(b) On or before October 1, 2011, the Commissioner of Health, in consultation with the board of medical examiners, the board of osteopathic examination, the board of nursing, and the committee on physician assistants,

shall promulgate rules necessary to implement this part, in accordance with the "Uniform Administrative Procedures Act", compiled in Title 4, Chapter 5.

(c) The rules adopted pursuant to subsection (b) may address the following topics, among others:

- (1) The operation of the clinic;
- (2) Personnel requirements for the clinic;
- (3) Training requirements for clinic providers who are regulated by that board;
- (4) Patient records;
- (5) Standards to ensure quality of patient care;
- (6) Infection control;
- (7) Health and safety requirements;
- (8) Certificate application and renewal procedures and requirements;
- (9) Data collection and reporting requirements;
- (10) Inspections and complaint investigations; and
- (11) Patient billing procedures.

63-1-304. Each board shall have the authority to inspect a pain management clinic which utilizes the services of a practitioner licensed by that board. During such inspections, the authorized representatives of the board may inspect all necessary documents and medical records to ensure compliance with this part and all other applicable laws and rules.

63-1-305. Each board shall have the authority to investigate a complaint alleging a violation of this part, or a rule adopted under this part, by a pain management clinic utilizing the services of a healthcare practitioner licensed by that board. Each board shall also have the authority to investigate a complaint alleging that a facility utilizing the services of a healthcare practitioner licensed by that board is not properly certified by the department as required by this part.

63-1-306.

(a) A pain management clinic, as defined in this part, must have a medical director who is a physician that practices in this state under an unrestricted and unencumbered license issued pursuant to § 63-6-201 or § 63-9-104.

(b) In the event that the medical director, for whatever reason, no longer meets the requirements of this part, the pain management clinic must notify the department, within ten (10) business days, of the identity of another

physician who meets the requirements of this part and will act as medical director. A change of majority ownership of a certified pain management clinic requires the submission of a new application for a certificate. Failure to notify the department within ten (10) business days may be the basis for a summary suspension of the clinic's certification.

(c) Every pain management clinic shall submit an application to the department, on a form prescribed by the department, for a certificate to operate the clinic.

(d) Each clinic location shall be certified separately regardless of whether the clinic is operated under the same business name, ownership, or management as another clinic.

(e) The department shall issue a certificate if the department finds that the pain management clinic meets the requirements of this part and that the fee required by the department has been paid.

(f) If the department finds that a pain management clinic which was issued a certificate no longer meets the requirements of this part, the department shall revoke or suspend the certificate. The pain management clinic shall be entitled to a hearing pursuant to the "Uniform Administrative Procedures Act", compiled in Title 4, Chapter 5, before revocation or suspension occurs. Further, the department has the discretion to lift the suspension of a certificate when the clinic demonstrates compliance to the department.

(g) The clinic shall post the certificate in a conspicuous location so as to be clearly visible to patients.

(h) The department is authorized to charge a fee for the issuance of a certificate.

(i) The department and each board identified in § 63-1-303(b) shall post on its website an announcement of the requirement that a pain management clinic obtain a certificate from the department, and each board identified in § 63-1-303(b) shall include information about such requirement in a routine communication sent by each board to its licensees.

(j) A pain management clinic operating on or before the effective date of this act may continue to operate as long as an application for certification is timely filed within thirty (30) days after the department has published the application form.

(k) The department shall have the authority to adopt rules, including emergency rules if deemed necessary, to implement the provisions of this part for which the department has responsibility.

63-1-307.

(a) A certificate issued under this part expires on the second anniversary of the date it is issued.

(b) The department may grant to a pain management clinic a ninety-day grace period from the expiration date of its certificate to renew the certificate.

(c) No pain management clinic whose certificate has expired may continue to operate or provide pain management services following the expiration of the grace period.

63-1-308.

(a) A pain management clinic may apply to renew its certificate by:

(1) Submitting a renewal application to the department on the form and in a time frame prescribed by the department; and

(2) Complying with any other requirements of the department.

(b) If a certificate is not renewed before the expiration of the grace period, the clinic must reapply for a new certificate to operate the clinic and is not authorized to operate while such new certificate application is pending.

63-1-309.

(a)(1) In the application for a certificate or within ten (10) days of the occurrence of any of the events listed in (A) – (C) below, a pain management clinic shall disclose whether any person who owns, co-owns or operates, or otherwise provides services in the clinic, an employee of the clinic, or a person with whom the clinic contracts for services:

(A) Has ever been denied, by any jurisdiction, a license under which the person may prescribe, dispense, administer, supply, or sell a controlled substance;

(B) Has ever held a license issued by any jurisdiction, under which the person may prescribe, dispense, administer, supply, or sell a controlled substance, that has been restricted; or

(C) Has ever been subject to disciplinary action by any licensing entity for conduct that was the result of inappropriately prescribing, dispensing, administering, supplying, or selling a controlled substance.

(2) The department may deny a certificate or renewal of a certificate to a pain management clinic under any of the circumstances listed in subdivision (a)(1).

(b) A pain management clinic may not be owned wholly or partly by a person who has been convicted of, pled nolo contendere to, or received deferred adjudication for:

(1) An offense that constitutes a felony; or

(2) An offense that constitutes a misdemeanor, the facts of which relate to the distribution of illegal prescription drugs or a controlled substance as defined in § 39-17-402.

(c) If any practitioner providing services at a pain management clinic dispenses or prescribes more than a seventy-two hour dose of controlled substances for the treatment of chronic nonmalignant pain, the practitioner must document in the patient's record the reason for prescribing or dispensing that quantity.

(d) The medical director of a pain management clinic shall be onsite at the clinic for no less than eight (8) hours of each week.

63-1-310.

(a) A pain management clinic may accept only a check, credit card or money order in payment for services provided at the clinic, except as provided in § 63-1-310(b).

(b) A payment may be made in cash for a co-pay, coinsurance or deductible when the remainder of the charge for the services will be submitted to the patient's insurance plan for reimbursement.

63-1-311.

(a) A violation of this part, or a rule adopted under this part, is grounds for disciplinary action against a practitioner providing services at a pain management clinic certified under this part by the board which licensed that practitioner.

(b) A practitioner who provides pain management services at an uncertified pain management clinic is subject to an administrative penalty of one thousand dollars (\$1,000) per day, imposed by the board which licensed that practitioner, in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5. Before such a penalty may be assessed by the board, the board shall give at least thirty (30) days notice to the practitioner of the alleged violation of this part.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 3. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 2012.

On motion, Amendment No. 1 was adopted.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subsection (f) of § 63-1-306 of the amendatory language of Section 1, as amended, and by substituting instead the following as a new subsection (f):

(f)(1) If the department finds that a pain management clinic which was issued a certificate no longer meets any requirement of this part, including but not limited to any violation of any rule promulgated by the department pursuant to this part, the department may impose lawful disciplinary action against the pain management clinic, including, but not limited to, the revocation or suspension of its certificate, and the imposition of a civil penalty of up to one thousand dollars (\$1,000) per day for each day of continued violation. The pain management clinic shall be entitled to a hearing pursuant to the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5. Further, the department has the discretion to lift the suspension of a certificate when the clinic demonstrates compliance to the department.

(2) Any board which assesses any discipline or penalty against a provider that it licenses for a violation of rules promulgated under this part shall inform the department of any penalty or discipline imposed on such a provider for a violation of rules promulgated under this part within thirty (30) days of imposing the discipline or penalty and the department may consider such discipline or penalty as a basis for disciplinary action against the pain management clinic pursuant to this subsection (f).

On motion, Amendment No. 2 was adopted.

Senator Yager moved that **Senate Bill No. 1258**, as amended, be placed on the Calendar for Thursday, April 21, 2011, which motion prevailed.

Senator Tracy moved that **Senate Bill No. 45** be placed on the Calendar for Monday, April 25, 2011, which motion prevailed.

Senate Bill No. 396 -- Drugs, Over the Counter -- As introduced, creates Class A misdemeanor of producing, manufacturing, selling or offering to sell any product containing any of the six listed synthetic derivatives or analogues of the Schedule I controlled substance methcathinone. Amends TCA Title 39, Chapter 17, Part 4.

On motion, Senate Bill No. 396 was made to conform with **House Bill No. 457**.

On motion, House Bill No. 457, on same subject, was substituted for Senate Bill No. 396.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 457** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero,

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McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Marrero moved that **Senate Bill No. 767** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 829 -- Solid Waste Disposal -- As introduced, allows private entity to provide a roll-off construction or demolition debris container to a person requesting such container even if the site is located in a municipality that has granted an exclusive franchise for the collection, removal and disposal of solid waste. Amends TCA Title 5; Title 6; Title 7 and Title 68, Chapter 211.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language at the end of the amendatory language of Section 1 of the bill:

This section shall only apply in a municipality that retains for itself the exclusive franchise to provide collection, removal and disposal of solid waste, and not in any municipality that grants an exclusive franchise to a private entity by contract to provide such services.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 829**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senator voting no was: Crowe--1.

A motion to reconsider was tabled.

Senator Beavers moved that **Senate Bill No. 923** be placed on the Calendar for Monday, April 25, 2011, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 1031** be placed on the Calendar for Thursday, April 21, 2011, which motion prevailed.

Senate Bill No. 1032 -- State Employees -- As introduced, creates civil penalty for employee engaged in a work stoppage; requires all documentation of labor negotiation with state employee associations be public record; revises other provisions governing state employees and employee associations. Amends TCA Title 8, Chapter 44; Title 8, Chapter 50 and Title 8, Chapter 23.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-204 (b), is amended by deleting subdivision (1) in its entirety and substituting instead the following:

(b)(1) Any employee of this state who engages or participates in a work stoppage or who authorizes or encourages a work stoppage commits gross misconduct, shall immediately and permanently forfeit the right to have deductions from compensation authorized in this section, and may be subject to immediate termination of employment. The Commissioner of Finance and Administration is authorized and required to cease and discontinue deducting membership dues under this section for an organization or association, if the commissioner determines that twenty percent (20%) or more of the members of the organization or association in a single work location or facility have engaged in a work stoppage of any kind after June 19, 1981. If the organization or association has members at more than one (1) work location or facility, upon the determination that the members of an organization have engaged in a work stoppage, the commissioner shall cancel and revoke the deduction of membership dues for the members of the organization employed at the work location or facility where the work stoppage has occurred.

SECTION 2. Tennessee Code Annotated, Section 8-50-109, is amended by deleting such section in its entirety and substituting instead the following:

(a) The chief elected officer of any employee association that has qualified for payroll deductions for association dues in accordance with § 8-23-204, shall, upon application to the employee's department head, be allowed up to twelve (12) months leave of absence without pay to perform the responsibilities and duties of such person's office. This subsection (a) shall not apply to a chief elected officer of any employee association who is under the executive grade pay plan or the doctor and dentist pay plan. At the option of such person, the person may be paid for any accrued annual leave or any accrued annual leave may be carried forward to such time as the person returns to such person's position in state government. In the event the person elects to be paid for annual leave, the period of time for the leave of absence without pay shall be accordingly reduced.

(b) At the end of the period of leave, any person who has taken such leave shall be entitled to return to the person's former position at the same place of employment in the same class or rank in the division or department which such person held prior to taking such leave.

(c) Any leave granted under this section shall not diminish any employee rights, including accrued but unused leave, longevity or those arising from longevity, or time in grade.

(d) Such person shall not be entitled during the period of such leave to the benefits that person is otherwise entitled to, including, but not limited to, insurance and retirement.

SECTION 3. Tennessee Code Annotated, Section 8-50-110, is amended by deleting such section in its entirety and substituting instead the following:

(a) Subject to the limitations established in this section, an officer or an employee who belongs to any employee association that is qualified for payroll deduction for association dues as set forth in § 8-23-204 shall be entitled to use two (2) days of the employee's accrued annual leave pursuant to Part 8 of this chapter each year to attend a state-wide meeting, conference, or convention of the association. The total number of officers or employees entitled to such annual leave shall not exceed three percent (3%) of the total number of employees who are members of the association according to the latest certification of the chief administrative officer made to the Commissioner of Finance and Administration as required by § 8-23-204. Each such association may determine the method of allocating such leave among its members and shall, not more than thirty (30) nor less than fifteen (15) days prior to the date such leave is to be taken, certify to the Commissioner of Human Resources the names of each person and that person's alternates who have been selected by the association as being entitled to such annual leave to attend the state-wide meeting, conference, or convention.

(b) The first ten percent (10%) of the employees of any work unit shall be granted such absence from work with pay based upon accrued annual leave. More than ten percent (10%) of the employees of any work unit may be granted such absence from work with pay at the discretion of the head of the department or agency.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1032**, as amended, passed its third and final consideration by the following vote:

Ayes	25
Noes	4

Senators voting aye were: Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Gresham, Henry, Herron, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Ford, Harper, Haynes and Marrero--4.

A motion to reconsider was tabled.

Senate Bill No. 1538 -- Insurance, Health, Accident -- As introduced, specifies that Commissioner of Commerce and Insurance is authorized to assign independent review organizations to review adverse determinations pursuant to the Tennessee Health Carrier Grievance and "External Review Procedure Act". Amends TCA Title 56, Chapter 61.

Senator Overbey declared Rule 13 on **Senate Bill No. 1538**.

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Senator Ford declared Rule 13 on **Senate Bill No. 1538**.

Senator Tracy declared Rule 13 on **Senate Bill No. 1538**.

Senator Ketron declared Rule 13 on **Senate Bill No. 1538**.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-61-116(q), is amended by removing the period in the last sentence of subsection (q) and adding the following:

; provided, however, that the commissioner may require assignments of external review organizations on a random basis if such random assignment is required per the direction of the United States Department of Health and Human Services. The commissioner is hereby granted emergency rulemaking authority to implement random assignments pursuant to this subsection.

SECTION 2. Tennessee Code Annotated, Section 56-61-118, is amended by removing the period in the last sentence of subsection (o) and adding the following:

; provided, however, that the commissioner may require assignments of external review organizations on a random basis if such random assignment is required per the direction of the United States Department of Health and Human Services. The commissioner is hereby granted emergency rulemaking authority to implement random assignments pursuant to this subsection.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1538**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

Senator voting no was: Campfield--1.

A motion to reconsider was tabled.

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Senator Yager moved that **Senate Joint Resolution No. 86** be placed on the Calendar for Monday, May 2, 2011, which motion prevailed.

Senator Finney moved that **Senate Joint Resolution No. 177** be placed on the Calendar for Monday, April 25, 2011, which motion prevailed.

Senate Bill No. 875 -- Election Laws -- As introduced, to conform our laws with the federal "Uniformed and Overseas Citizens Absentee Voting Act", clarifies that the federal postcard application will be accepted for all elections not just the federal elections. Amends TCA Title 2.

On motion, Senate Bill No. 875 was made to conform with **House Bill No. 1081**.

On motion, House Bill No. 1081, on same subject, was substituted for Senate Bill No. 875.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1081** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 767 -- Housing -- As introduced, revises certain provisions of the "Neighborhood Preservation Act". Amends TCA Title 13, Chapter 6.

On motion, Senate Bill No. 767 was made to conform with **House Bill No. 1881**.

On motion, House Bill No. 1881, on same subject, was substituted for Senate Bill No. 767.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting from subsection (l) of the amendatory language of Section 4, the language "after a full hearing" and substituting instead the language "after a hearing".

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 1881**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0
Present, not voting . . .	1

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Senators voting aye were: Barnes, Beavers, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senator present and not voting was: Bell--1.

A motion to reconsider was tabled.

MOTION

Senator Gresham moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1993** on the calendar for the Committee on Education for Wednesday, April 20, 2011, which motion prevailed.

MOTION

Senator McNally moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 720** on the calendar for the Committee on Finance, Ways and Means for Tuesday, April 19, 2011, which motion prevailed.

MOTION

Senator Roberts moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 283**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 283 -- Memorials, Recognition -- Trent Clutts, aka "Bill Cody", induction into the Country Music Hall of Fame.

On motion of Senator Roberts, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 283** was concurred in.

A motion to reconsider was tabled.

NOTICES

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 162, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 235, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 237, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1533, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

RECALL OF BILL

On motion of Senator Burks, **Senate Bill No. 456** was recalled from the Committee on Education.

WITHDRAWAL OF BILL

On motion of Senator Burks, Senate Bill No. 456 was withdrawn from the Senate.

MOTION

On motion of Senators Barnes, Beavers, Bell, Berke, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 396**.

On motion of Senators Marrero, Crowe, Stewart, Herron, Yager and Ford, their names were added as sponsors of **Senate Bill No. 449**.

On motion of Senator Marrero, her name was added as sponsor of **Senate Bill No. 473**.

On motion of Senator Watson, his name was added as prime sponsor of **Senate Bill No. 650**.

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On motion of Senator Southerland, his name was removed as sponsor of **Senate Bill No. 650**.

On motion of Senator Berke, his name was added as sponsor of **Senate Bill No. 650**.

On motion of Senator Finney, his name was added as prime sponsor of **Senate Bill No. 696**.

On motion of Senator Faulk, his name was removed as sponsor of **Senate Bill No. 696**.

On motion of Senator Henry, his name was added as sponsor of **Senate Bill No. 706**.

On motion of Senator Southerland, his name was added as sponsor of **Senate Bill No. 714; and House Joint Resolution No. 207**.

On motion of Senators Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 875**.

On motion of Senators Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Roberts, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 912**.

On motion of Senators Overbey and Burks, their names were added as sponsors of **Senate Bill No. 1258**.

On motion of Senator Barnes, his name was added as sponsor of **Senate Bill No. 1550; and House Joint Resolutions Nos. 104, 233 and 251**.

On motion of Senators Marrero, Barnes, Beavers, Bell, Berke, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 192**.

On motion of Senators Gresham and Herron, their names were added as sponsors of **House Joint Resolution No. 208**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolutions Nos. 209, 210, 211, 212, 220, 222, 223, 224, 248 and 249**.

On motion of Senator Tracy, his name was added as sponsor of **House Joint Resolutions Nos. 213 and 229**.

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolutions Nos. 214 and 215**.

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolution No. 216**.

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On motion of Senator Woodson, her name was added as sponsor of **House Joint Resolution No. 228**.

ENGROSSED BILLS

April 18, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 449, 714, 717, 753, 829, 912, 1032, 1538, 1559 and 1674; and Senate Joint Resolutions Nos. 127, 178, 184, 185, 186, 187, 188, 189, 190 and 192; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 334, 338, 712, 713, 790, 974, 986, 1214 and 1858; passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 457, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 566, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1881, passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 165, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 246, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 248 and 249, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 283, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 24 and 1209, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 330, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 490, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 717, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1008, substituted for House Bill on same subject and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 174, 179, 180 and 201; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

April 19, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 24, 330, 490, 717, 1008 and 1209; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 19, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 174, 179, 180 and 201; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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MESSAGE FROM THE HOUSE

April 18, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 774, 1128, 2125, 2126, 2128, 2129, 2130 and 2140; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 220, 222, 223, 224, 228, 229, 248, 249 and 283; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

April 19, 2011

The Speaker announced that he had signed the following: Senate Bills Nos. 24, 207, 330, 490, 610, 717, 761, 1008, 1209 and 1532.

SIGNED

April 19, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 174, 179, 180 and 201.

SIGNED

April 19, 2011

The Speaker announced that he had signed the following: House Bills Nos. 774, 1128, 2125, 2126, 2128, 2129, 2130 and 2140.

SIGNED

April 19, 2011

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 220, 222, 223, 224, 228, 229, 248, 249 and 283.

MESSAGE FROM THE HOUSE

April 19, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 174, 179, 180 and 201; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MONDAY, APRIL 18, 2011 -- 25TH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

April 19, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 174, 179, 180 and 201; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 19, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 149, 150, 151, 152, 153, 154, 155, 156, 157, 175 and 181; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 21, 2011: Senate Joint Resolutions Nos. 191, 193, 194, 195, 196, 197, 198, 199, 202, 203, 204 and 205; and House Joint Resolutions Nos. 232, 233 and 234.

This the 19th day of April, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 21, 2011: Senate Bills Nos. 494, 1785 and 1853.

This the 19th day of April, 2011.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 21, 2011: Senate Bills Nos. 72, 483, 485, 594, 611, 798, 818, 845, 1009, 1145, 1173, 1225, 1405, 1443, 1464, 1572, 1665, 1710, 1872, 1921, 626, 756, 1031, 1258 and 1541.

This the 19th day of April, 2011.
MIKE FAULK, Chairperson.

MONDAY, APRIL 18, 2011 -- 25TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, April 21, 2011: Senate Bills Nos. 16, 162, 235, 237 and 1533.

This the 19th day of April, 2011.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 9:00 a.m., Thursday, April 21, 2011, which motion prevailed.